

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PATRICIA SCOTT FLEMING, as  
Administratrix of the Estate of Patrick Fleming,

Plaintiff,

-against-

THE CITY OF NEW YORK ET AL,


Defendants.

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**JENNIFER E. WILLIS, United States Magistrate Judge:**

Defendants the City of New York, Joseph Ponte, Desmond Blake, Fred Rolle, Jorel Ward, Curlee Williams, and John Wisti (the “City Defendants”) should have cross-moved for bifurcation instead of merely opposing Plaintiff’s motion to compel and requesting bifurcation of discovery, summary judgment, and trial. Filing a cross-motion would have entitled Plaintiff to 25 pages to respond. In the interest of judicial economy, the Court will consider the City Defendants’ request to bifurcate. However, to avoid any potential prejudice to Plaintiff, Plaintiff has leave to file 15 additional pages to respond to the City Defendants’ opposition to Plaintiff’s motion to compel. Plaintiff’s additional briefing, if any, is due **September 14, 2022**. The City Defendants’ sur-reply, if any, is limited to 10 pages and is due **September 21, 2022**.

SO ORDERED.

DATED: August 31, 2022  
New York, New York

  
JENNIFER E. WILLIS  
United States Magistrate Judge